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REMARKS

The Applicants respectfully request reconsideration of this application in view of the above amendments and the following remarks:

Rejection Under 35 U.S.C. §112

The Examiner rejects claim 34 under 35 U.S.C. §112, second paragraph.

Applicants respectfully submit that claim 34 has been amended to overcome the rejection.

35 U.S.C. §103(a) Rejection – Stewart and Strahm

The Examiner has rejected claims 33-36, 38, 40, 42, 43, 45, 48, 50, 51, 52 and 54-58 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,571,221 issued to Stewart (hereinafter "Stewart") in view of U.S. Patent Application No. 2002/0133598 by Strahm (hereinafter "Strahm").

Applicants respectfully remove Strahm as a reference to the present patent application.

In accordance with 35 U.S.C. §103(c), "*subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section (emphasis added) where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.*" This subsection applies to all applications filed on or after November 29, 1999. M.P.E.P. §706.02(1)(1).

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In support of the required common ownership under 35 U.S.C. 103(c), it is hereby stated that the present application (U.S. Patent Application Serial No. 10/045,893) and Strahm (U.S. Patent Application No. 2002/0133598) were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same organization. This is sufficient evidence to establish common ownership. See M.P.E.P. 706.02(1)(2)(II).

Accordingly the Applicants respectfully submit that Strahm has been removed as a valid reference under 35 U.S.C. 103(a) against the claims of the present application.

Accordingly, the rejection is believed to have been overcome.

35 U.S.C. §103(a) Rejection – Stewart, Strahm and Douglas

The Examiner has rejected claims 37, 41, 44, 46 and 49 under 35 U.S.C. §103(a) as being unpatentable over Stewart in view of Strahm in view of U.S. Patent Application No. 2004/0010684 issued to Douglas.

For the reasons discussed above, the rejection is believed to have been overcome.

35 U.S.C. §103(a) Rejection – Stewart, Strahm and Hajmiragha

The Examiner has rejected claims 39 and 47 under 35 U.S.C. §103(a) as being unpatentable over Stewart in view of Strahm in view of U.S. Patent No. 6,289,460 issued to Hajmiragha.

For the reasons discussed above, the rejection is believed to have been overcome.

35 U.S.C. §103(a) Rejection – Stewart, Strahm and Stubblebine

The Examiner has rejected claim 53 under 35 U.S.C. §103(a) as being unpatentable over Stewart in view of Strahm in view of U.S. Patent No. 6,216,231 issued to Stubblebine.

For the reasons discussed above, the rejection is believed to have been overcome.

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Conclusion

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In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance. Applicants respectfully request that the rejections be withdrawn and the claims be allowed at the earliest possible date.

Request For Telephone Interview

The Examiner is invited to call Brent E. Vecchia at (303) 740-1980 if there remains any issue with allowance of the case.

Request For An Extension Of Time

The Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17 for such an extension.

Charge Our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 1/19/07

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